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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/388,031	09/01/1999	SALMAN AKRAM	3442US(96-42	3303

7590 09/04/2003

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EXAMINER

LEE, EUGENE

ART UNIT	PAPER NUMBER
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2815

DATE MAILED: 09/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/388,031

Applicant(s)

AKRAM, SALMAN

Examiner

Eugene Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 and 100-129 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 and 100-129 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 27. 6) ☐ Other:

DETAILED ACTION

Specification

1. The amendment filed 2/13/03 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: a conductive layer in contact with said metal spacer, said conductive layer substantially **filling a remaining portion of the aperture**; and at least one upper metal layer on the conductive layer comprising Ti, Ta, W, Co, or Mo or an alloy or a compound of any thereof, including TaN or TiN, said at least one upper metal layer being **disposed within said aperture** laterally adjacent said metal spacer (claims 26 and 126).

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 26 thru 28 and 126 thru 128 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 26 and 126, the specification does not describe a conductive layer in contact with said metal spacer, said conductive layer substantially **filling a remaining portion of**

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the aperture; and at least one upper metal layer on the conductive layer comprising Ti, Ta, W, Co, or Mo or an alloy or a compound of any thereof, including TaN or TiN, said at least one upper metal layer being **disposed within said aperture** laterally adjacent said metal spacer. It is unclear how said conductive layer can substantially fill the remaining portion of the aperture and then have an upper metal layer being disposed **within** said aperture when the remaining portion of the aperture is already filled by the conductive layer. Appropriate clarification and correction are required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 16, 23, 101, 116, 123 and 129 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. 6,153,900. Chang discloses (see, for example, FIG. 6) a metallization structure comprising a substrate 10, conductive layer (metal layer) 16, second conductive layer (conductive line) 24, first insulating layer (dielectric layer) 18, conductive spacer (metal spacer) 20a/22a, and interconnection layer (conductive layer) 28. Regarding whether the conductive layer is a metal, see, for example, column 6, lines 2-3. Regarding whether the conductive spacer is a metal, see, for example, column 6, lines 32-37.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 4 thru 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al. 6,074,943 in view of Liu et al. 6,277,745 B1. Brennan discloses (see, for example, FIG. 3) an interconnect structure comprising an underlying layer (substrate) 300, interconnect (single conducting layer) 310, and a thick buffer region (spacers) 320. In column 1, lines 33-39, Brennan discloses that the thick buffer region may be metal. Brennan does not disclose a metal layer defining a pattern on a portion of the substrate upper surface. However, Liu shows (see, for example, FIG. 1D) an interconnect structure wherein a bottom barrier layer (metal layer) 4 lies underneath a copper interconnect layer 6. The bottom barrier layer passivates the underside of the copper interconnect layer. See, for example, column 3, lines 34-38. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the bottom barrier layer of Liu in Brennan's invention in order to passivate the bottom surface of the interconnect.

Regarding claims 4 and 5, Liu states (see, for example, column 3, lines 38-42) that the bottom barrier layer may comprise TaN, TiN, Ta, or various single or stacked combinations.

Regarding claim 8, Brennan does not disclose the interconnect as copper or aluminum. However, Liu states (see, for example, column 1, lines 11-45) that copper is a material used for interconnects, which provides better circuit speed than aluminum. Therefore it would have been

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obvious to one of ordinary skill in the art at the time of invention to use copper in the interconnect material of Brennan in order to have good circuit speed and therefore minimize signal delays within a circuit.

Regarding claim 9, Brennan in view of Liu does not disclose the single conductive layer being an aluminum-copper alloy. However, it would have been obvious to one of ordinary skill in the art at the time of invention was made to use an aluminum-copper alloy, since aluminum-copper alloy has excellent conductive properties and it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

Regarding claims 10 and 11, Brennan does not disclose the metal spacers comprising at least one of Ti, Ta, W, Co, or Mo, or alloys thereof or compounds thereof, including TaN and TiN. However, Liu describes (see, for example, column 4, lines 24-29) an interconnect structure comprising protective spacers wherein the protective spacers may comprise Ta, TaN, TiN, or combinations thereof. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use these materials in the metal spacers of Brennan in order to adequately protect the sidewalls of the interconnect structure.

Regarding claim 12, Brennan does not disclose the a dielectric layer on the conducting layer and having sidewalls aligned with said sidewalls of the single conducting layer, the metal spacers extending along the sidewalls of the dielectric layer. However, Liu teaches (see, for example, column 5, lines 1-17) an insulating layer (dielectric layer) 16 that insulates the top surface of the interconnect structure. Therefore it would have been obvious to one of ordinary

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skill in the art at the time of invention to include the insulating layer of Liu in Brennan in order to insulate and protect the top of the interconnect structure.

8. Claims 2, 3, 100, 102 thru 113 and 115 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al. '943 in view of Liu et al. '745 as applied to claims 1, 4 thru 13, and 15 above, and further in view of Cox 6,166,439. Brennan in view of Liu does not disclose a dielectric layer on the substrate upper surface and underlying the metal layer. However, Cox discloses (see, for example, Fig. 2) a semiconductor device comprising conductive lines 54, 56, and 58 over an insulating layer 50a and substrate 50b. The insulating layer serves as a base upon which the conductive pattern is constructed. See column 5, lines 1-7. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to include the insulating layer in order to provide a further base for the semiconductor device.

Regarding claims 3 and 103, Brennan in view of Liu in view of Cox does not disclose the dielectric layer being silicon oxide or BPSG. However, it would have been obvious to one of ordinary skill in the art at the time of invention was made to use silicon oxide or BPSG, since silicon oxide and BPSG provide strong insulative properties and it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

Regarding claim 109, Brennan in view of Liu in view of Cox does not disclose the single conductive layer being an aluminum-copper alloy. However, it would have been obvious to one of ordinary skill in the art at the time of invention was made to use an aluminum-copper alloy, since aluminum-copper alloy has excellent conductive properties and it has been held to be

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within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al. '943 in view of Liu et al. '745 as applied to claims 1, 4 thru 13, and 15 above, and further in view of Matsuno 6,046,502. Brennan in view of Liu does not disclose a fluorine-doped silicon oxide. However, Matsuno teaches that dielectric films doped with fluorine provide films with low dielectric constants. See, for example, see column 1, lines 20-63. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to add fluorine, in order to form a low dielectric film, and improve the overall speed of a semiconductor device.

10. Claims 17, 18, 24, 25, 117, 118, 124, and 125 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. '900 as applied to claims 16, 23, 116, and 123 above, and further in view of Chang 5,712,195. Chang '900 does not disclose the metal layer comprising tantalum, titanium, tungsten, cobalt, molybdenum, or an alloy or a compound of any thereof, including TaN and TiN. However, Chang '195 discloses (see, for example, column 4, lines 7-14) a metallization structure comprising a conductive layer (metal layer) formed by depositing titanium tungsten. Chang '195 discloses that this formation of the conductive layer is one of many well-known conventional techniques. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use tantalum, titanium, tungsten, cobalt,

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molybdenum, or an alloy or a compound of any thereof, including TaN and TiN in the metal layer of Chang '900 in order to form a conductive line with adequate conductive properties.

11. Claims 19, 20, 119, and 120 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. '900 as applied to claims 16, 23, 101, 116, 123 and 129 above, and further in view of Lee 6,242,340 B1. Chang does not disclose the metal spacer including at least one layer of metal comprising tantalum, titanium, tungsten, cobalt, molybdenum, or alloys or compounds thereof, including TaN and TiN. However, Lee discloses (see, for example, FIG. 3D) a metallization structure comprising sidewall spacers 36a. In column 4, lines 42-44, Lee states the sidewall spacers comprise TiN, Ta, TaN, WN_x and combinations thereof. The sidewall spacers protect the sidewalls of the insulation layer 32 and prevent the second interconnection layer 40 from diffusing out of the trench 32. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include tantalum, titanium, tungsten, cobalt, molybdenum, or an alloy or a compound of any thereof, including TaN and TiN in order to protect the sidewalls of first insulating layer and prevent the second conductive layer from diffusing in Chang's invention.

12. Claims 21, 22, 121, and 122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. '900 as applied to claims 16, 23, 101, 116, 123 and 129 above, and further in view of Cox '439. Chang does not disclose the substrate comprising a dielectric layer underlying the metal layer. However, Cox discloses (see, for example, Fig. 2) a semiconductor device comprising conductive lines 54, 56, and 58 over an insulating layer 50a and substrate 50b. The

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insulating layer serves as a base upon which the conductive pattern is constructed. See column 5, lines 1-7. The insulating layer also provides suitable separation between the overlying semiconductor device and the substrate. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to include the insulating layer on the substrate of Liu for the reasons cited above.

13. Insofar as definite, claims 26 thru 28 and 126 thru 128 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. '900 as applied to claims 16, 23, 101, 116, 123 and 129 above, and further in view of Naik '380. Chang does not disclose the at least one upper metal layer on the conductive layer comprising Ti, Ta, W, Co, or Mo or an alloy or a compound of any thereof, including TaN or TiN. However, Naik discloses (see for example, FIG. 3F and column 5, lines 57-58) a metallization structure comprising a titanium liner 318. This liner provides electrical conductance to the metal line 302. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use titanium in Chang's invention in order to have metal layer with high electrical conductance next to the interconnection layer.

14. Claim 114 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al. '943 in view of Liu et al. '745 in view of Cox '439 as applied to claims 2, 3, 100, 102 thru 113 and 115 above, and further in view of Matsuno '502. Brennan in view of Liu in view of Cox does not disclose a fluorine-doped silicon oxide. However, Matsuno teaches that dielectric films doped with fluorine provide films with low dielectric constants. See, for example, see column 1,

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lines 20-63. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to add fluorine, in order to form a low dielectric film, and improve the overall speed of a semiconductor device.

Response to Arguments

15. Applicant's arguments filed 6/16/03 have been fully considered but they are not persuasive.

Regarding the applicant's argument on the specification objection and the 112 rejection, the Examiner respectfully disagrees. It is not clear how the applicant can define (on page 12 of applicant's response filed 6/16/03) the conductive layer as element 64 since the claims state the conductive layer substantially filling a **remaining** portion of the aperture. The only conductive layer substantially filling a remaining portion of the aperture is element 66. The Examiner interprets element 64 as representing the "conductive line." Also, as already stated in the 112 rejection, it is unclear how said conductive layer can substantially fill a remaining portion of the aperture and then at least upper metal layer can be disposed within said aperture when the aperture has **already been filled** by said conductive layer.

Regarding applicant's argument on page 14, bottom paragraph that Chang fails to disclose "a conductive layer in contact with said metal spacer, said conductive layer substantially filling a remaining portion of the aperture and having an upper surface substantially coincident with an upper surface of said dielectric layer", the Examiner respectfully disagrees. In Chang, a conductive layer 28 clearly contacts metal spacer 22a and fills the aperture formed in the dielectric layer 18. On page 15, line 1, the applicant states that "conductive layer 24 does not

contact spacers 22a” which is true, however, the applicant’s claim does not state that the conductive layer 24 must contact spacer 22a. The applicant’s claim states “a conductive layer in contact with said metal spacer” which is clearly shown in FIG. 6 wherein Chang shows an interconnection layer (conductive layer) 28 contacting metal spacer 22A. The Examiner has interpreted the interconnection layer 28 as the conductive layer in claim 28, not layer 24.

Regarding applicant’s argument on page 17, lines 3-5 that Brennan suggests the metal contacting the upper layer, the Examiner respectfully disagrees. In FIG. 3, Brennan does not show any metal contacting the upper layer of interconnect 310.

Regarding the applicant’s argument on page 17, lines 6-15 that no motivation exists to combine Brennan and Liu, the Examiner respectfully disagrees. Liu clearly states (in column 3, lines 35-37) that the bottom barrier layer 4 passivates the underside of an overlying copper layer. Therefore it would have been obvious to one of ordinary skill in the art to include this bottom barrier layer to the underside of the interconnect 310 in order to passivate its bottom surface. Such a passivation would isolate the interconnect from the substrate and protect it from the substrate.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

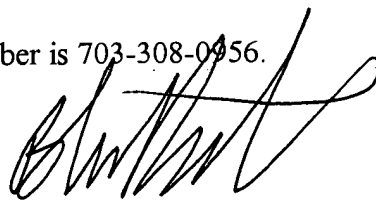
INFORMATION ON HOW TO CONTACT THE USPTO

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Lee whose telephone number is 703-305-5695. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on 703-308-1690. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Eugene Lee
September 1, 2003



B. WILLIAM BAUMEISTER
PRIMARY EXAMINER